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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 ISAAC CANSECO, GERMAN DE LA
11 CRUZ, MARIO DAVILA,

Defendants.

CASE NO. CR18-5580BHS

ORDER

12 This matter comes before the Court on the parties' Stipulated Motion to Continue
13 Trial and Pretrial Motions Dates. The Court, having considered the stipulated motion and
14 the Defendants' speedy trial waivers makes the following findings of fact and
15 conclusions of law:

16 1. The defense has recently been provided discovery, including Spanish-language
17 communications, which will need to be translated in order to be reviewed. Additional
18 discovery of this kind is anticipated.

19 2. The defense needs additional time to explore all relevant issues and defenses
20 applicable to the case, which would make it unreasonable to expect adequate preparation
21 for pretrial proceedings or for trial itself within the time limits established by the Speedy
22 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to
2 allow the defense the reasonable time for effective preparation and to ensure continuity of
3 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result
5 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best
7 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

8 6. Defendant waived speedy trial through Isaac Canseco waived speedy trial
9 through July 30, 2019, German De La Cruz waived through June 18, 2019 and Mario
10 Davila waived through June 30, 2019.

11 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued
12 from February 5, 2019 to June 18, 2019 at 9:00 a.m. The resulting period of delay from
13 January 8, 2019 to June 18, 2019 is hereby excluded for speedy trial purposes under 18
14 U.S.C. § 3161(h)(7)(A) and (B).

15 Pretrial motions are due no later than May 6, 2019. Pretrial Conference is set for
16 June 10, 2019 at 11:00 a.m.

17 Dated this 11th day of January, 2019.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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